

FIFTEENTH DAY

(Monday, February 6, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	Word
Herring	

Absent—Excused

Hazlewood Strong

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 2, 1967 was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hazlewood was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Strong was granted leave of absence for today on account of important business on motion of Senator Blanchard.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 2, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 18, Saluting Hopkins County citizens for attaining for their

county the coveted rank of No. 1 Dairy-Producing County in the Nation.

S. C. R. No. 13, In memory of Mr. Sam Fore, Jr.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

Senator Cole submitted the following reports:

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 7, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 18, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 26, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 106, have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 107, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 108, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 110, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Austin, Texas,
February 1, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 156, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senators Herring and Mauzy:

S. B. No. 158, A bill to be entitled "An Act to protect and preserve rights of employees of street transportation systems which have been and are acquired by cities, towns or municipalities; declaring the public policy of the state; providing rights, duties, obligations, responsibilities and authorities of such cities, towns, or municipalities and such employees and their collective bargaining agents; providing for liberal construction and separability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 159, A bill to be entitled "An Act authorizing independent school districts of more than 150 scholastics to adopt an alternate method of selecting a school depository or depositories by the adoption of an Act known as The School Depository Act of 1967, and said Act containing definitions, qualifications of school depository, term of depository contract, notice for bid request and uniform bid blank, tie bid procedure, highest and best bids and right to reject bids, providing for depository contract and bond or securities in lieu thereof, investment rights, performing services as treasurer, providing this Act shall be an alternate method of selecting a school depository, providing that other statutes pertaining to selecting a school depository shall not apply, providing a district may discontinue the selection of its depository as this Act provides, providing a saving clause, and declaring an emergency."

To the Committee on Education.

By Senator Hightower:

S. B. No. 160, A bill to be entitled "An Act to prescribe the process for the adoption of a new State Constitution; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 161, A bill to be entitled "An Act fixing the penalty for hauling or attempting to haul for compensation or hire without first having obtained a certificate or permit from the Texas Railroad Commission covering such operation when said certificate or permit from the Texas Rail-

road Commission is required by statute, or for aiding or abetting such operation; repealing laws in conflict to the extent of such conflict; and declaring an emergency."

To the Committee on Transportation.

By Senator Aikin:

S. B. No. 162, A bill to be entitled "An Act providing for the protection, safety and welfare of students and employees of the respective governing boards and for the protection and policing of the buildings and grounds of the State institutions of higher education of this State; authorizing the promulgation of rules and regulations and providing for their enforcement; providing for peace officers and prescribing their duties and powers; providing for the enforcement of this Act by such commissioned officers of each institution; prescribing punishment; prohibiting trespasses and damage to property; regulating and controlling traffic and parking and the use of parking facilities; providing for the issuance of vehicle identification insignia; providing for jurisdiction over offenses; repealing all laws and parts of laws in conflict herewith; providing a savings clause; and declaring an emergency."

To the Committee on Education.

By Senator Harrington:

S. B. No. 163, A bill to be entitled "An Act permitting the use of certain seines to catch limited amounts of shrimp for personal use on the Gulf beach of Jefferson County; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Moore:

S. B. No. 164, A bill to be entitled "An Act defining Public Utilities, and providing for their regulation; providing for the creation of the "Public Utilities Commission of Texas" and for the appointment of Commissioners and the fixing of their qualifications and compensation and prescribing their duties and powers and the manner in which the jurisdiction and power herein conferred shall be exercised; providing for employees and salaries; providing for hearings and appeals and other procedure for regulation; providing for appeals to

the courts and the procedures in the courts; preventing the unnecessary duplication of facilities; and providing for the repeal of all laws and parts of laws in conflict herewith."

To the Committee on State Affairs.

By Senator Kennard:

S. B. No. 165, A bill to be entitled "An Act defining certain words and terms as used herein; requiring that school districts of this State, as herein defined, employ teachers by probationary contract or by continuing contract as herein defined, under the circumstances and procedures and with the terms, provisions, and consequences herein prescribed; prescribing the causes for which and procedures by which holders of such contracts may be discharged during the school year, and the reasons for which and procedures by which persons holding such contracts may be dismissed or their contractual status changed at the end of a school year; providing for review of orders discharging, dismissing, or changing the contract status of persons holding such contracts; stating the conditions under which persons holding such contracts may resign, and the penalties for failure of such persons to resign or be released from and failure to perform such contracts; and declaring an emergency."

To the Committee on Education.

By Senator Cole:

S. B. No. 166, A bill to be entitled "An Act relating to the cost of artificial appliances furnished to employees by the Texas Employer's Insurance Association; amending Section 7-e, Article 8306, Revised Civil Statutes of Texas, 1925, as added; and declaring an emergency."

To the Committee on Insurance.

By Senator Cole:

S. B. No. 167, A bill to be entitled "An Act relating to the settlement of grievances and disputes of firemen in any city of more than 10,000 population; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Brooks, Jordan and Bernal:

S. B. No. 168, A bill to be entitled "An Act making unlawful the use of

force or violence, or threats thereof, to prevent, or attempt to prevent, any person from engaging in lawful and peaceful picketing within this state, thereby supplementing the existing provisions of law which now make such conduct unlawful to prevent, or attempt to prevent, any person from engaging in any lawful vocation within this state and providing penalties for the violation thereof; making it unlawful for any person acting in concert with other persons to assemble at or near where a labor dispute exists and prevent or attempt to prevent by force or violence any person from engaging in lawful and peaceful picketing within this state, and making it unlawful to encourage and aid such unlawful assemblage thereby supplementing existing provisions of law which now make such conduct unlawful to prevent or attempt to prevent by force or violence any person from engaging in a lawful vocation and providing penalties for the violation thereof; amending Sections 1 and 2, Chapter 100, Acts of the 47th Legislature, Regular Session, 1941 (Article 1621b, Vernon's Texas Penal Code); making the provisions of this Act cumulative of existing laws; providing a saving clause; and declaring an emergency."

To the Committee on Labor and Management Relations.

By Senator Word:

S. B. No. 169, A bill to be entitled "An Act concerning the practice of barbering in this State; amending Article 728, Penal Code of Texas, 1925; redefining the practice of barbering; and amending Sections 3, 4, 5, 21 and 24, Chapter 65, Acts of the 41st Legislature, 1st called Session, 1929, as amended (Article 734a, Vernon's Texas Penal Code), relating to the operation and management of a barber shop, providing for licensing of barber shops; setting fees for permits and renewal permits, providing for an expiration date for permits; redefining a barber shop; providing for eligibility and employment of assistant barbers; defining unethical barbering procedures; adding provisions to that section which defines certain misdemeanors; providing for severability; and declaring an emergency."

To the Committee on Public Health.

By Senator Word:

S. B. No. 170, A bill to be entitled "An Act relating to contractual relationship between parties to a construction contract; defining terms thereof; providing conditions thereto due to fault or insufficiency of plans and specifications; invalidating provisions in contracts that purport to indemnify parties to a contract from liability from their own negligence; invalidating provisions in contracts that attempt to modify or impair rights, limitations and remedies provided in the statutes of this state pertaining to bonds, or liens or both on construction; exempting contracts in existence prior to the date this Act takes effect; providing that all other laws or parts of laws not in conflict herewith; providing for severability; and declaring an emergency."

To the Committee on State Affairs.

By Senator Word:

S. B. No. 171, A bill to be entitled "An Act amending Chapter VI, Article 6, as amended, of The Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Sessions, 1943 (codified as Article 342-606, Vernon's Texas Civil Statutes); providing for reserve requirements for state banks; and declaring an emergency."

To the Committee on Banking.

By Senator Watson:

S. B. No. 172, A bill to be entitled "An Act to amend Section 89 of Article XI, Acts 50th Legislature, Regular Session, 1947, Chapter 421, page 967, repealing all laws and parts of laws in conflict; and declaring an emergency."

To the Committee on Transportation.

By Senator Schwartz:

S. B. No. 173, A bill to be entitled "An Act creating the Texas Constitutional Revision Commission; prescribing duties and powers; providing for the mode of appointing its members; providing for acceptance of private grants, and declaring an emergency."

To the Committee on State Affairs.

By Senator Blanchard:

S. B. No. 174, A bill to be entitled

"An Act to amend Chapter Three of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Art. 3.40-1; providing that notwithstanding the provisions of Art. 3.40 of such Code any domestic life insurance company may invest any of its funds in income producing real estate and may hold, improve, develop, maintain, manage, lease, sell or convey such property subject to specified terms, limitations, and restrictions; defining the term "income producing real estate"; limiting the amount of admitted assets which may be so invested; providing that the investment authority granted by this Act is in addition to and separate and apart from the investment authority granted by Art. 3.40 except for the limitations of Subdivision 1(b) thereof; providing that the investments so made shall be "Texas Securities"; and declaring an emergency."

To the Committee on Insurance.

By Senators Creighton and Kennard:

S. B. No. 175, A bill to be entitled "An act authorizing the commissioners courts of counties which have a population in excess of 500,000 according to the most recent federal census and which have issued bonds for the purpose of constructing buildings and other permanent improvements to be used for coliseums and auditoriums within such counties, to construct, enlarge, furnish, equip and operate parking stations in the vicinity of such coliseums and auditoriums; authorizing the lease of said parking stations; authorizing the issuance of revenue bonds for such purposes; prescribing the procedure for the issuance of such bonds and the method of paying and securing the payment thereof; authorizing the issuance of refunding bonds; containing provisions prohibiting and relating to free service to private parties and to all parties during times bonds are outstanding; containing a severability clause; enacting other provisions relating to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Hightower:

S. J. R. No. 9, Ratifying the proposed amendment to the Constitution

of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

To the Committee on Constitutional Amendments.

By Senator Watson:

S. J. R. No. 10, Proposing the addition of Section 50c to Article III, Constitution of the State of Texas, permitting the Legislature to authorize the Texas Industrial Commission to issue state bonds to finance loans for industrial development in the state.

To the Committee on Constitutional Amendments.

By Senator Bernal:

S. J. R. No. 11, Proposing an amendment to Sections 1 and 2, Article VI, Constitution of the State of Texas, to lower the minimum age required for voting to 18 years.

To the Committee on Constitutional Amendments.

Senate Resolution 85

Senator Hardeman offered the following resolution:

BE IT RESOLVED by the Senate of Texas that at such times as the Senate may direct there shall be prepared Local and Uncontested Bill Calendars, which calendars shall be prepared by a Committee of five appointed by the Lieutenant Governor.

No bills or resolutions shall be placed on such calendar which contain appropriations or create new departments or subdivisions of departments, except purely local bills where the expenditure is not from State funds.

No bills or resolutions which the committee feels might create a controversy shall be placed on such calendar. Any bill or resolution on such calendar shall not be considered if as many as three members present object to such consideration.

The calendar shall be placed on the desks of the members at least six hours before any such Session. The committee may name a time after which applications for a place on the calendar may not be made.

The committee shall not consider any bills unless a printed copy of such bill or the bill itself is presented to the committee.

The resolution was read and was adopted.

Vote on Final Passage of Senate Bill 36 Reconsidered

On motion of Senator Creighton and by unanimous consent that portion of Senate Rule 60 relating to reconsideration was suspended and the vote by which S. B. No. 36 was passed on Wednesday, February 1, 1967 was reconsidered.

Question: Shall S. B. No. 36 be finally passed?

Senate Concurrent Resolution 19

Senator Cole offered the following resolution:

S. C. R. No. 19, Granting Walter G. Schwarz permission to sue the state.

Whereas, Walter G. Schwarz, a resident citizen of the City of Houston in Harris County, Texas, alleges that on the 12th day of November, 1964 he was operating his automobile in a lawful and careful manner in a southerly direction on Dowling Street in the City of Houston, and that at the same time a 1964 Dodge truck registered in the name of Texas Southern University, a branch and department of the State of Texas, said truck being operated by Narvin Horton, an employee of Texas Southern University, acting in the course and scope of his employment, was proceeding north on said Dowling Street and that the said Horton carelessly and negligently and in violation of the statutes of the State of Texas, collided with the vehicle operated by the said Schwarz; and

Whereas, The said Walter G. Schwarz alleges that in connection with the described accident he sustained serious, permanent and irreparable harm and damage, including, without limitation, surgical removal of his right kneecap; and

Whereas, The said Walter G. Schwarz has heretofore on November 8, 1966 filed suit in the 61st District Court of Harris County, Texas, Cause No. 717,620, seeking to recover his alleged damages; and

Whereas, The Attorney General of the State of Texas, denies the allegations made by the said Walter G. Schwarz and avers that he is not entitled to recover from either the

State of Texas or from said Narvin Horton; and

Whereas, The said Walter G. Schwarz has no recourse other than through the Courts of this state for determination of the matters in controversy; now, therefore, be it

Resolved, By the Senate of The State of Texas, the House of Representatives concurring, that the said Walter G. Schwarz be, and he is hereby, given permission to sue the State of Texas, and to keep and prosecute the said suit, being Cause No. 717,620 heretofore filed in the 61st District Court of Harris County, Texas, to determine whether or not the State of Texas is liable to him for his legally provable damages; and, be it further

Resolved, That service of citation and of any other legal process in such suit shall be had upon the Attorney General of the State of Texas, and that any service of process heretofore completed is herewith validated; and the same shall have like force and effect as a service of process upon a defendant in any other civil case, according to the Rules of Civil Procedure as promulgated and adopted by the Supreme Court of Texas; and be it further

Resolved, That any such party in such suit shall have the right of appeal as provided for in other civil cases; and, be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the Departments or Agencies of the State of Texas, as to the validity of any allegations or claims asserted in such suit; but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, or any of the Departments or Agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in said suit, but all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on Jurisprudence.

Co-Authors of Senate Joint Resolution 5

On motion of Senator Moore and by unanimous consent Senators Brooks and Parkhouse will be shown as Co-authors of S. J. R. No. 5.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
February 2, 1967.

To the Senate of the Sixtieth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Mouth of the Brazos River and Bar, for two-year terms to expire November 29, 1968: Alvin A. Miller of Galveston, Galveston County; Kenneth Gonzales of Galveston, Galveston County.

To be Branch Pilots for the Houston Ship Channel and Galveston Bar, for a two-year term to expire January 1, 1969: Charles W. Barfield of Houston, Harris County. For a two-year term to expire January 18, 1969: J. Everett McNary of Houston, Harris County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas

Senate Bill 36 on Final Passage

The President laid before the Senate on its final passage S. B. No. 36 (the vote on final passage having been reconsidered today).

Question: Shall S. B. No. 36 be finally passed?

Senator Creighton offered the following amendment to the bill:

Amend Senate Bill No. 36 by adding a new Section to be numbered Section 2 and to read as follows:

"Section 2. The fact, that the importance of this legislation and the crowded condition of the calendar in both Houses, creates an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and

said Rule is hereby suspended; and that this Act shall take effect and be in full force from and after its passage, and it is so enacted."

The amendment was read and was adopted by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	Word
Herring	

Absent—Excused

Hazlewood Strong

The bill as amended was again passed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	Word
Herring	

Absent—Excused

Hazlewood Strong

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 19, Inviting His Excellency, John Connally, Governor of the State of Texas, to address a Joint Session at 11 a.m., February 2, 1967.

S. C. R. No. 13, Memorial Resolution for Sam Fore, Jr.

**House Concurrent Resolution 18
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 18, Saluting Hopkins County citizens for attaining for their county the coveted rank of No. 1 Dairy-Producing County in the Nation.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the resolution was considered immediately and was adopted.

Senate Bill 6 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 6 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	Word
Herring	

Absent—Excused

Hazlewood	Strong
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The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 6, A bill to be entitled "An Act authorizing the creation of the North Central Texas Airport Authority in Dallas and Tarrant Counties, Texas; defining terms; providing for petition and election on the question of the creation of the authority and authorizing a tax not to exceed

seventy-five cents (75¢) on the One Hundred Dollars (\$100.00) assessed valuation; constituting the authority a body politic and corporate, governmental and public in nature; providing for the organization and meetings of the board of directors and the selection and qualifications of the members thereof; etc. and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend Senate Bill 6, Section 18, by striking all of Section 18 and inserting in lieu thereof the following:

Section 18. The Authority shall be and is hereby declared to be a body politic of the State of Texas performing essential governmental functions and the Authority shall not be required to pay any taxes or assessments on any of its property or any part thereof; provided, however, that the levy and assessment by the Authority or any other taxing authority, within their respective jurisdictions, of a tax on leasehold interests, regardless of the term thereof, or on personal property of any and all kinds owned by individuals, firms, partnerships, associations or corporations on property leased or rented from the Authority shall not be deemed to be a tax, assessment or charge against the Authority.

The Committee Amendment was read.

On motion of Senator Parkhouse and by unanimous consent the above Committee Amendment was withdrawn.

Senator Parkhouse then offered the following Committee Amendment to the bill:

Amend Senate Bill 6, Section 12 thereof by changing the opening sentence so that the same shall hereafter read as follows: "Section 12. The Authority shall have the power and the duty to assess and collect taxes for the benefit of the Authority subject to the exemptions provided in Section 12 of Article IX of the Constitution of the State of Texas, as follows:"

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend Senate Bill 6, Section 12, C, by deleting Subsection (5) with the exception of the word "and" at the end thereof, and changing Subsection (6) to Subsection (5).

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend Section 11, Subsection E of S. B. No. 6 by striking the period (.) at the end of the first sentence thereof, substituting a semi-colon (;) and adding the following language:

"provided, that every contract to which the Authority is a party for construction, alteration, and/or repair, including painting and decorating, of such structures or improvements shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates determined by the Secretary of Labor to be prevailing for the corresponding classes of mechanics and laborers employed on projects of a character similar to the contract work in the territorial limits of the Authority, and it shall be the duty of the Authority to request and obtain such determination from the Secretary of Labor, to ensure that such stipulation is contained in every such contract, and, if such construction, alteration, and/or repair, including painting and decorating, is done by the Authority itself, to comply with such determination of the Secretary of Labor in paying the mechanics and laborers whom it employs."

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend Section 20 of S. B. No. 6

by striking the period (.) at the end of the last sentence thereof, substituting a semi-colon (;) and adding the following language:

"provided, however, that the Board may deduct from any employee's compensation amounts of contributions, donations or dues to such non-profit organizations that such employee authorizes in writing the Authority to make, and shall pay such amounts to the organization so designated."

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend Senate Bill 6, Sec. 18, by adding the following sentence thereto:

"Such leasehold interests and personal property as above described shall be taxable to such individuals, firms, partnerships, associations or corporations and shall be considered for all the purposes of taxation as the property of the person holding same on valuations not exceeding their market value."

The Committee Amendment was read.

On motion of Senator Parkhouse and by unanimous consent the Committee Amendment was withdrawn.

Senator Kennard offered the following amendment to the bill:

Amend Senate Bill No. 6, Section 18, by striking all of Section 18 and inserting in lieu thereof the following:

"Section 18. The Authority shall be and is hereby declared to be a body politic of the State of Texas performing essential governmental functions and the Authority shall not be required to pay any taxes or assessments on any of its property or any part thereof; provided, however, that the levy and assessment by the Authority or any other taxing authority, within their respective jurisdictions, of a tax on leasehold interests, regardless of the term thereof, or on personal property of any and all kinds owned by individuals, firms, partnerships, associations or corporations on property leased or rented from the Authority shall not be deemed to be a tax, as-

assessment or charge against the Authority. Such leasehold interests and personal property shall be taxable to such individuals, firms, partnerships, associations or corporations and shall be considered for all the purposes of taxation as the property of the person holding the same on valuations not exceeding their market value."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 6, Section 11, by inserting a new paragraph to be known as paragraph L, as follows:

"L. The Executive Director, on or about August 1 of each year, shall prepare a budget to cover all proposed expenditures of the Authority for the next ensuing fiscal year. Such budget shall be carefully itemized so as to make possible as clear a comparison as practicable between expenditures included in the proposed budget and actual expenditures for the same or similar purposes for the current year to the date the budget is proposed. The budget shall be prepared so as to reflect with reasonable detail each of the various classes of expenditures for which appropriations are set up in the budget, and the estimated amount of money carried in the budget for each such class. The budget shall contain a complete statement showing all outstanding obligations of the Authority, the cash on hand to the credit of each fund of the Authority, the funds received from all sources during the then current year to the date the budget is proposed, the funds and revenues estimated by the Executive Director to be received from all sources during the current fiscal year and the funds and revenues estimated by the Executive Director to be received from all sources during the next ensuing fiscal year.

"A copy of the proposed budget shall be filed at the principal office of the Authority and it shall be available for inspection by any taxpayer of the Authority. The Board shall provide for a public hearing on the proposed budget, which hearing shall be held on some date to be named by the Board not less than seven (7) calendar days after the filing of the proposed budget and prior to September 30 of the current fiscal year.

Public notice shall be given that on the date of said hearing the proposed budget as submitted to the Board will be considered by the Board. Said notice shall name the hour, the date, and the place at which the hearing shall be conducted, and shall be published at least once in a newspaper of general circulation in each of the Counties of Dallas and Tarrant. Any taxpayer of the Authority shall have the right to be present and participate in said hearing. At the conclusion of the hearing, the budget as prepared by the Executive Director shall be acted upon by the Board. The Board shall have the authority to make such changes in the budget as in its judgment the facts and the law warrant and the interest of the taxpayers demand, provided the amounts budgeted for expenditures during the next year shall not exceed the funds of the Authority estimated to be on hand at the beginning of the fiscal year to which such budget related plus the anticipated income from all sources for the ensuing year, as estimated by the Executive Director. Upon final approval of the budget by the Board, a copy of such budget as approved shall be filed in the Office of the Executive Director for public inspection, and no expenditures of the funds of the Authority shall thereafter be made except in strict compliance with said budget, except that the Board, may, from time to time, upon a finding by the Board of necessity therefor and by amendment to its budget then in effect, without notice, appropriate and expend funds budgeted and allocated to one use for another or different use so long as the total amount of the budget is not increased."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend Section 18 of S. B. No. 6 by adding after the existing language thereof the following:

"The Authority shall be and is hereby declared to be prohibited from failing or refusing to hire or from discharging any individual, or otherwise discriminating against any individual with respect to his compensation, terms, conditions or privileges of employment, because of such in-

dividual's race, color, religion, sex or national origin or because of his membership or non-membership in a labor organization."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend Section 8 of S. B. No. 6 by adding the following language after the last sentence thereof:

"The public shall be kept fully informed as to the activities of the Authority, and the activities of the Authority shall at all times, to the maximum extent practicable, be conducted openly. Meetings of the Board or any other body of the Authority which exercises general administrative control and direction with respect to the planning or operation of the Authority and its activities shall be held in open sessions at regularly scheduled times and places after public notice of the times and places for such meetings."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend Section 7, subsection C of S. B. No. 6 so as to read as follows:

"Each member of the Board of Directors, in order to be eligible for appointment or election to or to be or remain a member of the Board, must be a freeholder of and have resided within the County from which he is selected for at least one (1) year and have been a qualified taxpaying voter within the State of Texas for a period of at least three (3) years, and shall not have a substantial financial interest in any organization doing business with the Authority or any personal business arrangement with the Authority nor be an elected officer of any political organization. The term 'substantial financial interest in any organization' includes having a financial interest in any organization through serving as an officer, director, trustee, partner, or executive of such organization, or through negotiating with or having any arrangement concerning prospective employment with such organization or through holding legal title to or any beneficial interest in or control over more than five per

centum (5%) of the total of issued and subscribed share capital of such organization."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend the second sentence of Subsection F, Section 11 of S. B. No. 6, so as to read as follows:

"Such Authority may prescribe reasonable penalties for the breach of any rule or regulation of the Authority not exceeding more than two hundred dollars (\$200.00) for each offense."

The amendment was read and was adopted.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of the above amendment.

Senator Mauzy offered the following amendment to the bill:

Amend Section 12 of S. B. No. 6 by striking all of Subsection B and inserting in lieu thereof, the following:

"The Authority may contract for either the assessment of the collection of taxes, or both, with any taxing authority or authorities within the area of the Authority. Any entity having such a contract shall make charges for its services at such rates as may be determined by agreement with the Authority."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend Subsection A of Section 7 of S. B. No. 6 by adding the following sentence at the end of the Subsection:

"In the event of the appointment of members of the Board of Directors to represent the County due regard shall be given to the respective populations of the Airport City and those residing outside the Airport City within the County."

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend Subsection E of Section 7 of S. B. No. 6 by adding the following two sentences at the end of said Subsection:

"In the event the directors are elected, and for so long as Dallas County is entitled to four (4) or more Directors hereunder, the Directors filling places 1, 4, 5, and 6 from Dallas County shall be elected from Commissioner's Precincts Number 1, 2, 3, and 4 respectively and only by the qualified voters residing in the precinct from which such director or directors desire to be elected; in such event or events, an additional qualification for membership on the Board shall be that the candidate reside in the precinct from which he is to be elected. All other members of the Board of Directors from Dallas County shall be elected at large by all the qualified voters of Dallas County."

The amendment was read.

Question on adoption of the amendment, Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—11

Aikin	Jordan
Bates	Mauzy
Brooks	Patman
Hall	Wilson
Harrington	Word
Herring	

Nays—14

Berry	Kennard
Blanchard	Moore
Christie	Parkhouse
Connally	Ratliff
Creighton	Reagan
Hardeman	Wade
Hightower	Watson

Present—Not Voting

Bernal	Grover
Cole	

Absent

Schwartz

Absent—Excused

Hazlewood	Strong
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Senator Mauzy offered the following amendment to the bill:

Amend Section 20 of S. B. No. 6 by inserting before the existing language thereof the following sentence:

"The Authority shall be liable for its negligence and the doctrine of governmental immunity shall not be available to it in any suit sounding in tort."

The amendment was read.

Question on the adoption of the amendment, Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—8

Christie	Mauzy
Harrington	Schwartz
Jordan	Watson
Kennard	Wilson

Nays—17

Aikin	Hightower
Bates	Moore
Blanchard	Parkhouse
Connally	Patman
Creighton	Ratliff
Grover	Reagan
Hall	Wade
Hardeman	Word
Herring	

Present—Not Voting

Brooks	Cole
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Absent

Bernal	Berry
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Absent—Excused

Hazlewood	Strong
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On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 6 to engrossment.

Senate Bill 6 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional

Rule requiring bills to be read on three several days be suspended and that S. B. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Jordan
Bates	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Wade
Hall	Watson
Harrington	Wilson
Herring	Word
Hightower	

Nays—1

Hardeman

Absent

Bernal

Absent—Excused

Hazlewood Strong

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Wade
Hall	Watson
Harrington	Wilson
Herring	Word

Nays—1

Hardeman

Absent—Excused

Hazlewood Strong

Committee Substitute for Senate Bill 9 on Second Reading

Senator Bates moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that C. S. S. B. No. 9 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Parkhouse
Christie	Patman
Cole	Reagan
Connally	Schwartz
Creighton	Wade
Grover	Watson
Hardeman	Wilson
Harrington	Word
Herring	

Nays—3

Aikin Ratliff
Hall

Absent

Moore

Absent—Excused

Hazlewood Strong

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 9, A bill to be entitled "An Act amending Section 37, Article I, of Texas Liquor Control Act, as heretofore amended by adding to the first paragraph or subdivision thereof as an identifying prefix the letter (a); by adding a new subdivision identified as subsection (b), preserving unto licensed beer distributors the right to continue operating as distributors and to engage in the business of selling and distributing beer in counties, justice precincts, or incorporated cities or towns where the sale of beer has been prohibited by valid local option election; provided that the sale of beer in such prohibited political subdivision shall be made only to licensed outlets to sell beer located outside of such political subdivision; by adding a new subdivision identified as subsection

(c), preserving unto holders of Wholesaler's Permits the right to continue operating as wholesalers and to engage in the business of selling and distributing liquor at wholesale in counties, justice precincts, or incorporated cities or towns where the sale of liquor has been prohibited by valid local option election; provided that the sale of liquor in such prohibited political subdivision shall be made only to permit-holding outlets located outside of such political subdivision; by adding another subdivision immediately following subdivision (c) identified as subsection (d), declaring the policy of the Act; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Committee Substitute for Senate Bill 9 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Bates	Herring
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Parkhouse
Christie	Patman
Cole	Reagan
Connally	Schwartz
Creighton	Wade
Grover	Watson
Hardeman	Wilson
Harrington	Word

Nays—4

Aikin	Hightower
Hall	Ratliff

Absent

Moore

Absent—Excused

Hazlewood	Strong
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Bates	Herring
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Parkhouse
Christie	Patman
Cole	Reagan
Connally	Schwartz
Creighton	Wade
Grover	Watson
Hardeman	Wilson
Harrington	Word

Nays—4

Aikin	Hightower
Hall	Ratliff

Absent

Moore

Absent—Excused

Hazlewood	Strong
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Memorial Resolutions

S. R. No. 82—By Senator Herring: Memorial resolution for John C. Ross.

S. R. No. 84—By Senator Moore: Memorial resolution for Commander Clyde Ray Welch.

Welcome and Congratulatory Resolutions

S. R. No. 86—By Senator Watson: Honoring Gerald P. Winchell of Waco.

S. R. No. 88—By Senator Watson: Extending welcome to Mayor P. M. Johnston of Waco.

S. R. No. 89—By Senator Watson: Extending welcome to Bobby Donaldson.

Adjournment

On motion of Senator Hardeman the Senate at 12:05 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

Sent to the Governor

February 6, 1967

S. C. R. No. 13

In Memory of
Frederick William Heldenfels, Sr.

Senator Reagan offered the following resolution:

(Senate Resolution 81)

Whereas, Texas lost an esteemed citizen and versatile business leader in the passing of Frederick William Heldenfels, Sr., in Corpus Christi, on Thursday, January 26, 1967, at the age of 78; and

Whereas, As the illustrious son of a German nobleman who immigrated to the United States in the mid-Nineteenth Century and who with great foresight developed a successful lumber business in Texas; and

Whereas, After his father's death, as a native of Beeville, he began his distinguished career at the age of seven in the cattle business, and by the age of twelve was growing and baling cotton; and

Whereas, After graduating in 1909 from A&M University with a degree in architecture, he organized a lumber business in Bee County which expanded in a few months to Live Oak, McMullen and San Patricio Counties and was responsible for the design and building of the Bee County Courthouse and many other commercial and religious buildings; and

Whereas, Mr. Heldenfels was married in 1910 to the former Mary Alice Cullen, who preceded him in death after a marriage of fifty-two years; and

Whereas, At the beginning of World War I, the firm of Heldenfels Brothers received a government contract to build cargo ships in Rockport on land donated by appreciative citizens; and

Whereas, From ship building his interests turned toward maritime services as well as supplying construction materials for roads which would replace wagon trails; and

Whereas, In 1936, his three sons, Frederick, Jr., H. C. and James, graduates of A&M University, became partners with their father, who remained the active senior partner until the time of his death; and

Whereas, Heldenfels Brothers entered broad new horizons of activity in highway construction, attracting national attention by building 37 miles of soil-cement highway through the previously untouched ranch country in Kenedy County, the longest strip ever built by the technique of mixing materials with soil obtained at the job site; and

Whereas, In World War II, military and defense construction projects included five auxiliary air fields for the Navy, a one million dollar airport at Rockport, and highway links between naval establishments; and

Whereas, By 1950, wider range of construction activity included building causeways, bridges, ports, commercial airports, expressways, industrial plants, traffic interchanges, water and sewer plants, streets and utility systems; and

Whereas, In addition, the Heldenfels' interests include firms which engage in transit-mix concrete production and development, oil and natural gas exploration and production, ranching, farming, and residential subdivisions; and

Whereas, Mr. Heldenfels served as Chairman of the Board of Directors of First National Bank of Rockport; Director of Corpus Christi State National Bank; President of Harris Concrete Company, Inc.; senior partner in Heldenfels Farms; partner in H. C. Heldenfels, Trustee; and Director of Permanent Homes, Inc.; and

Whereas, Frederick William Heldenfels, Sr., commanded the highest regard from his fellow citizens; as an architect with vision and specialized knowledge he was an inspiration to his three sons, four grandchildren and four great-grandsons; and

Whereas, It is the desire of the Senate of the State of Texas to honor the memory of this distinguished Texan and to express its sympathy to the surviving members of his family; now, therefore, be it

Resolved, by the Senate of the State of Texas, That it does hereby extend sincere sympathy to Mr. Heldenfels' family and that copies of this Resolution be sent to members of the family under the seal of the Senate, and that a page in the Journal be set aside for this Resolution, and that when the Senate adjourns today, it do so in memory of Frederick William Heldenfels, Sr.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of Dr. H. Bailey Carroll

Senator Hardeman offered the following resolution:

(Senate Resolution 83)

Whereas, With the death of Dr. H. Bailey Carroll on May 12, 1966, the State of Texas lost an eminent historian, whose enthusiasm for his subject stimulated popular interest in State and local history over the past two decades; and

Whereas, Dr. Carroll was the son of J. Speed and Lena O. (Russell) Carroll and was born near Gatesville in Coryell County, Texas, on April 29, 1903; and

Whereas, After his public school education at Gatesville, he attended Southern Methodist University and McMurry College; he then went to Texas Technological College and received both B.A. and M.A. degrees there in 1928, and was a member of the first class to graduate from that West Texas school; he took his Ph.D. in history, with emphasis on Texas history, at The University of Texas in June, 1935; and

Whereas, Dr. Carroll taught Texas history from 1928 to 1942 at Texas Technological College, Texas Wesleyan College, Lamar Junior College, Hillsboro Junior College, Eastern New Mexico College and North Texas Agricultural College, beginning his teaching career as an instructor and rising to the rank of professor; he joined the faculty of The University of Texas in 1942 as associate professor in the Department of History, becoming full professor four years later; and

Whereas, He served the Texas State Historical Association for 24 years, first as Acting Director and then as Director, and his principal endeavor during that period was his editorship of The Southwestern Historical Quarterly; he set the pattern for recording valid history in an area notoriously beclouded with myth and legend, and with unlimited patience helped beginners polish worthwhile material into publishable articles; bound files of the Quarterly, largely through his efforts, have become the richest source of reliable information on Texas and Southwestern history; and

Whereas, One of the most striking accomplishments of the Association under his leadership and that of Dr. Walter P. Webb was the publication, in 1952, of the Handbook of Texas, a two-volume, 20,000 page encyclopedia of Texana; and

Whereas, He was a frequent contributor to sectional, state and national historical journals and was regional editor of American Heritage from 1951 to 1954; his book, The Texas Santa Fe Trail, published in 1951, resulted in his being made a Fellow of the Royal Geographical Society of England; other books compiled and edited by Dr. Carroll included: Texas County Histories; A Bibliography, 1943; Texas History Theses (with Dr. Milton R. Gutsch), 1955; Guadal P'a, the Journal of Lieutenant J. W. Albert, 1941; and Three New Mexico Chronicles (with J. V. Haggard), 1942; and

Whereas, The death of this outstanding historian, scholar, and teacher, who did so much to preserve the heritage of Texas and the Southwest, and who, as expressed by a former student, "... had a gift for the graphic example, the understandable explanation that humanized the topic ..." is a great loss to the entire State of Texas; now, therefore, be it

Resolved, That the Senate of Texas does hereby pay tribute to and recognize the service of Dr. H. Bailey Carroll, and that copies of this Resolution be prepared for his wife, Mrs. Mary Jo (Durning) Carroll, and for his son, Joe Speed Carroll, and beloved grandson, Charles Durning Carroll, as an expression of our deep sympathy for their great loss; and, be it further

Resolved, That when the Senate adjourns this day, it do so in memory of Dr. Horace Bailey Carroll.

HARDEMAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Edward G. Creed

Senator Blanchard offered the following resolution:

(Senate Resolution 87)

Whereas, Another young Texan, U. S. Navy Hospitalman Edward G. Creed, gave his life in the cause of Liberty and Democracy, when he was killed in the war in South Vietnam on June 25, 1966; and

Whereas, He was the son of Mark B. Creed of Lubbock, who accepted the eight medals and commendations which were awarded Hospitalman Creed posthumously during ceremonies in Lubbock recently; and

Whereas, Hospitalman Creed's mother, his sister—Jeanne Creed—and a brother—Mark B. Creed III, of Hartford, Connecticut—were also present when the awards were made; and

Whereas, The medals were presented by Commander Clark Harvey, head of the Naval Reserve detachment in Lubbock, and included the Silver Star, the Air Medal with 122 gold stars, the Naval Commendation Medal with Distinguished Combat Device, the Purple Heart, Armed Forces Expeditionary Medal, National Defense Service Medal, Republic of Vietnam Campaign Ribbon and Navy Unit Commendation; and

Whereas, The Senate of the 60th Legislature wishes to recognize this valiant young American, whose devotion to his Country and the cause of Freedom cost him his life; now, therefore, be it

Resolved, That the Senate of the State of Texas pays tribute to U. S. Navy Hospitalman 3C Edward G. Creed and sends condolences to the members of his family; and, be it further

Resolved, That a copy of this Resolution be prepared for his parents, and that when the Senate adjourns this day it do so in memory of U. S. Navy Hospitalman 3C Edward G. Creed.

BLANCHARD

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harde-
man, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard,
Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong,
Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of Frank M. Wood

Senator Hightower offered the following resolution:

(Senate Concurrent Resolution 18)

Whereas, The untimely death at the age of 63 of Frank M. Wood was a shock to his many friends, his business associates, and fellow citizens of Wichita Falls, who knew him through his generous contributions to the community and youngsters throughout the area; and

Whereas, This oilman, sportsman, and philanthropist, who died in Wichita Falls on Wednesday, September 14, 1966, had contributed his time, efforts, and money to countless charitable causes in Wichita Falls, in the state and nation during several decades of his life; and

Whereas, Though known throughout the world as an oilman, and with substantial oil properties in Wilbarger, Wichita, Clay, Montague, Young and Jack counties until he sold them in 1955 to Texaco, Inc., he was better known for his charitable projects and philanthropies; he gave Bea Wood Hall—a students' dormitory—to Mid-western University; he provided the ranger cabin at Perkins Boy Scout Reservation; he made the down payment for several small churches in Wichita Falls whose congregations would otherwise have been unable to finance them; he paid for the chapel in the Wichita County Jail; he gave another chapel to the state training school for girls at Gainesville and provided an education building at Cal Farley's Boys Ranch near Amarillo; he made it possible for three kid fishing holes in municipal parks to be constructed; and he made it possible for more than 150 young people—regardless of race, creed, or color—to get a college education; and

Whereas, For more than 20 years, he and his wife contributed generously to the Salvation Army's Christmas food program, and also made possible the founding of Faith City Mission; and

Whereas, During Christmastime each year, he distributed two-dollar bills to recipients ranging from close friends to total strangers who seemed to need help; he provided picnic shelters and recreational sites for patients at the Wichita Falls State Hospital, built the Southeast Boys Club in that city, and, with his wife, also built the Southside Girls Club; and

Whereas, His great interest in sports led him to provide literally thousands of youngsters with their first real fishing trip as he threw open his Kay-Bub Farm in the southwestern part of Wichita Falls to them; he provided all equipment, bait and food for these outings, and used his farm for raising quail, giving many of the birds to rural youngsters so that they could stock their land and acquire knowledge of proper habitat management; and

Whereas, His interest in conservation of the state's wildlife was responsible for his being appointed to the old Texas Game and Fish Commission, and he served on its board for 12 years, part of that period as its chairman; he was founder of the Frank M. Wood Wildlife Conservation Awards Program; and

Whereas, He was a native Texan, was born in Beaumont on July 1, 1903; the son of the late Mr. and Mrs. G. Clint Wood, pioneer Wichitans, and moved to Wichita Falls in 1912 from Houston; he attended Terrell Preparatory School in Dallas, Wichita Falls High School and Hardin-Simmons University; he was married to Beatrice Hughes in December 1936; and

Whereas, His interests extended to politics and State government, and he had been a member of the State Democratic Executive Committee, and a director of the Texas Research League; he had also served as a director of the Mid-Continent Oil and Gas Association, the Wichita Falls Chamber of Commerce; and on the executive committee of the Independent Petroleum Association; and

WHEREAS, The Texas Legislature wishes to pay tribute to this outstanding humanitarian and business leader; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That by this Resolution we recognize the great loss to Wichita Falls and all of Texas resulting from the death of Frank M. Wood; and, be it further

Resolved, That a copy of this Resolution be prepared as an expression of sympathy from the Senate to his family; and that when the two Houses of the Legislature adjourn this day, that they do so in memory of Frank M. Wood.

HIGHTOWER

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

On motion of Senator Hightower and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.